

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1945H.01I
Bill No.: HB 728
Subject: Department of Corrections; Criminal Procedure
Type: Original
Date: March 5, 2025

Bill Summary: This proposal modifies provisions relating to good time credit.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	(Unknown, Could exceed \$250,000)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)
Total Estimated Net Effect on General Revenue	(Unknown, Could exceed \$250,000)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)

*Reflects a potential cost for the IT system development that could occur in FY 2026 or a potential unknown cost for FTE to handle the calculations. Potential savings in subsequent years reflect a potential reduction in the prisoner population. Oversight notes, in response to other legislation this year, DOC has used a per-inmate cost of \$10,485 to the General Revenue Fund per year.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0	0	0

☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§558.041 – Good time credit

Officials from the **Department of Corrections (DOC)** this proposal modifies provisions relating to good time credit. Section 558.041 is modified to stipulate offenders “shall” receive additional credit, and modifies the requirements for such time, to include obtaining a high school diploma or equivalent, completion of a substance use treatment program, and other programs. The offender may earn a maximum of 90 days of credit in any twelve-month period.

Currently, the department does not have an automated system that could track and calculate the good-time credits that are described in the legislation. At this time, the department is unsure if an automated system can be created because of the different criteria it takes to calculate good time credit. This is a labor-intensive calculation done by hand by their Records Officer staff. It is unknown to the department how many additional staff may be needed in order to comply with this legislation.

As such, the department is unable to project the impact to the prison population. However, it is assumed the legislation would decrease the number of individuals incarcerated.

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect a potential cost for the IT system development that could occur in FY 2026 or a potential unknown cost for FTE to handle the calculations. Additionally, as this new program may decrease populations for DOC, Oversight will reflect a potential savings (\$0 or Unknown) in FY 2027 and FY 2028. Oversight notes, in response to other legislation this year, DOC has used a per-inmate cost of \$10,485 to the General Revenue Fund per year.

Officials from the **Office of State Courts Administrator (OSCA)** state there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Oversight notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 to (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Savings</u> - DOC (§558.041) Potential impact to the population relating to good time credit	\$0	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> – DOC (§558.041) Calculation of good-time credits	(Unknown, Could exceed \$250,000)	(Unknown)	(Unknown)
<u>Cost</u> – OSCA (§558.041) Potential cost relating to good time credit	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Unknown, Could exceed \$250,000)</u>	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

GOOD TIME CREDIT (Section 558.041)

This bill modifies provisions authorizing certain offenders committed to the Department of Corrections to receive good time credit. Good time credit is time that, once earned, must be subtracted from the offender's minimum eligibility-for-release date.

This bill provides that certain offenders must receive good time credit for completion of eligible programs. However, the accumulation of good time credit does not require that the offender be released; the parole board retains discretion to determine the date of release.

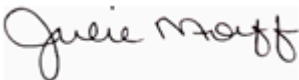
The bill provides that any major conduct violation or the accumulation of minor conduct violations exceeding six in one year will result in the loss of all credit earned. No offender who has been sentenced to death or life without probation or parole is eligible for good time credit. The Department must award credit between five and 360 days for programs and activities to any qualifying offender who successfully:

- (1) Receives a high school diploma or equivalent, college diploma, or a vocational training certificate;
- (2) Completes an alcohol or drug abuse treatment program, excluding those treatment programs ordered by either the court or parole board;
- (3) Completes 1,000 hours of restorative justice; or
- (4) Completes other programs provided under the Department's policy.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Office of the State Courts Administrator



Julie Morff
Director
March 5, 2025



Jessica Harris
Assistant Director
March 5, 2025